

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ARBOR PROPERTIES DEVELOPMENT, INC.

PLAINTIFF

V.

CIVIL ACTION NO.1:06CV573 LTS-RHW

**WESTCHESTER SURPLUS LINES INSURANCE COMPANY
and LANDMARK AMERICAN INSURANCE COMPANY**

DEFENDANTS

ORDER

The Court has before it the motion [4] of Arbor Properties Development, Inc., to appoint an umpire for purposes of appraisal under its insurance policies. At this time, the parties appear to be proceeding with the appraisal process. Since the parties do not, at this point, need the Court's intervention on this issue, I will deny the motion without prejudice to the right of any of the parties to request this relief in the event it later becomes necessary to do so.

Accordingly, it is

ORDERED

That the motion [4] of Arbor Properties Development, Inc., to appoint an umpire is hereby DENIED without prejudice.

SO ORDERED this 22nd day of March, 2007.

s/ L. T. Senter, Jr.

L. T. Senter, Jr.
Senior Judge